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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 ANTHONY E. LEWIS,) CASE NO.: C08-1239-RSL
09)
Petitioner,)
10)
v.) ORDER DISMISSING
11) § 2254 PETITION
JEFFREY UTTECHT,)
12)
Respondent.)
13 _____)

14 The Court, having reviewed petitioner's petition for a writ of habeas corpus pursuant to
15 28 U.S.C. § 2254, respondent's motion to dismiss, petitioner's response, the Report and
16 Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, any
17 objections thereto, and the balance of the record, does hereby find and ORDER:

- 18 (1) The Court adopts the Report and Recommendation;
19 (2) Respondent's motion to dismiss (Dkt. No. 9) is GRANTED;
20 (3) Petitioner's petition for a writ of habeas corpus (Dkt. No. 4), and this action, are
21 DISMISSED with prejudice; and
22 (4) The Clerk is directed to send a copy of this Order to petitioner, to counsel for

01 respondent, and to Judge Theiler.

02 DATED this 3rd day of February, 2009.

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06 ROBERT S. LASNIK
07 Chief United States District Judge
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